

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

BRANDON GULLATTE §
VS. § CIVIL ACTION NO. 9:17-CV-18
WARDEN WHEAT, ET AL. §

ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Brandon Gullatte, a prisoner confined at the Connally Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Kevin R. Wheat and Juan Torres.

The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends granting the motion for summary judgment filed by defendant Wheat.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

O R D E R

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report and recommendation of the Magistrate Judge (document no. 49) is **ADOPTED**. The

motion for summary judgment (document no. 41) is **GRANTED**. Defendant Kevin Wheat is **DISMISSED** from this action.

So Ordered and Signed

Mar 17, 2019



Ron Clark, Senior District Judge